IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF MISSOURI

JOHN LARRY SANDERS and)
SPECIALTY FERTILIZER)
PRODUCTS, LLC,	,)
)
Plaintiffs/)
Counterclaim Defendants,)
)
v.) Case No. 4:09-cv-00016-JTM
)
THE MOSAIC COMPANY;)
CARGILL, INC.; and)
CARGILL FERTILIZER, INC.,)
)
Defendants/)
Counterclaim Plaintiffs.)
)

MOSAIC'S MOTION FOR SUMMARY JUDGMENT

Pursuant to Federal Rule of Civil Procedure 56, Defendants The Mosaic Company;

Cargill, Incorporated; and Cargill Fertilizer, Inc. (collectively, "Mosaic") move the Court for an

Order granting summary judgment:

- 1. That all of the asserted claims of the U.S. Patent No. 6,210,459, including claims 3, 4, 7, 8, and 13-16, are invalid as anticipated pursuant to 35 U.S.C. § 102(b); and
 - 2. That all of the asserted claims are invalid as obvious pursuant to 35 U.S.C. § 103.

In support of its motion, Mosaic relies on Mosaic's Suggestions in Support of Motion for Summary Judgment of Invalidity, the October 31, 2011 Declaration of Heather D. Redmond, and all of the records and files of this proceeding.

DORSEY & WHITNEY LLP

Dated: November 1, 2011

By /s/ Peter M. Lancaster_

Peter M. Lancaster, MN Bar #0159840 lancaster.peter@dorsey.com Heather D. Redmond, MN Bar #0313233 redmond.heather@dorsey.com Suite 1500, 50 South Sixth Street Minneapolis, MN 55402-1498

Telephone: (612) 340-2600

STINSON MORRISON HECKER LLP

J. David Wharton, MO Bar 20347 dwharton@stinson.com Victoria L. Smith, MO Bar 41915 vsmith@stinson.com 1201 Walnut, Suite 2500 Kansas City, MO 64106 Telephone: (816) 842-8600

Attorneys for Defendants The Mosaic Company, Cargill, Inc., and Cargill Fertilizer, Inc.

CERTIFICATE OF SERVICE

I hereby certify that on November 1, 2011, I electronically filed the foregoing Motion for Summary Judgment with the Clerk of Court using the CM/ECF system which sent notification of such filing to the following:

Jennifer Christine Bailey: jcb@hoveywilliams.com, ecf@hoveywilliams.com

Scott R. Brown: srb@hoveywilliams.com, ecf@hoveywilliams.com

John M. Collins: jmc@hoveywilliams.com, ecf@hoveywilliams.com

Matthew B. Walters: mwalters@hoveywilliams.com, ecf@hoveywilliams.com

/s/ Peter M. Lancaster
Peter M. Lancaster